THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.29294 of 1997

DATED: 06.08.2007

Between:

Talla Koti Veeraiah and others. .. Petitioners

And

Director of Handlooms and Textiles,
Government of Andhra Pradesh, 4th Floor,
Burgula Ramakrishna Rao Buildings,
Tank Bund Road, Hyderabad
and others. .. Respondents

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO.29294 of 1997

ORDER:

This writ petition is filed seeking an appropriate writ, order or direction declaring the action of the respondents 1 and 2 in trying to delete the names of the petitioners from the third respondent Society on the plea of not owning looms individually, as illegal and arbitrary.

This Court, on 06.11.1997, while issuing *Rule nisi*, passed interim orders in WPMP.No.34184 of 1997 directing the respondents not to delete the names of the petitioners from the membership of the third respondent Society and to continue the petitioners on its rolls.

Subsequent to passing of the above interim orders, the respondents filed a counter stating that even prior to passing of the interim orders, the final orders vide RC.No.2285/96-A (9) dated 08.08.1997, removing the petitioners names from the third respondent Society on the plea of not owning looms individually, have been issued pursuant to the show cause notice vide Notice Rc.No.2285/96-A (9), dated 03.07.1997 (Annexdure-II) issued by the competent authority.

Having heard both the counsel and also in view of the facts and circumstances of the case, this Court is of the view that the petitioners have statutory remedy of appeal against the final orders passed in

RC.No.2285/96-A(9) dated 08.08.1997, which has not been availed, and there is interim direction operating.

Accordingly, the writ petition is disposed of with liberty reserved to the petitioners to challenge the final orders passed in Rc.No.2285/96-A(9), dated 08.08.1997 by way of statutory appeal, and in case appeal is filed within a period of eight weeks from today, the same shall be considered and decided by the competent authority in accordance with law as if it was filed within the period of limitation. Till the competent authority takes decision, interim orders passed shall remain in operation. No order as to costs.

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(GOPALA KRISHNA TAMADA,J)

Dt.06.08.2007
v v